

Remarks

A. Claims in the Case

Claims 1160-1162 and 1289-1303 are pending. Claims 1160-1162 and 1289-1295 are rejected. Claims 1160-1162, 1289, 1291, 1293, and 1295 have been amended. Claims 1163, 1164 and 1288 have been cancelled. Claims 1296-1303 are new.

B. Request for Signed Forms PTO-1449 and Electronic Information Disclosure Statements

Applicant notes that the Examiner has not acknowledged receipt of all Information Disclosure Statements filed for the above-captioned application. Applicant has attached the unacknowledged Forms PTO-1449 listing: references E1 and E2 received by the PTO on April 1, 2004 as indicated on the enclosed copy of the Form PTO-1449 obtained from the Patent Application Retrieval database (PAIR, Exhibit A), and references OA-01 through OA-12 received by the PTO on August 11, 2004 as indicated on the enclosed copy of the Form PTO-1449 obtained from PAIR (Exhibit B).

Applicant has attached the unacknowledged electronic Information Disclosure Statement listing: U.S. Patent Documents citation numbers 1-30 received by the PTO on March 30, 2004 as indicated on the enclosed copy of information disclosure statement obtained from PAIR (Exhibit C), and U.S. Patent Documents citation numbers 1-14 received by the PTO on August 9, 2004 as indicated on the enclosed copy of the information disclosure statement obtained from PAIR (Exhibit D).

Applicant respectfully requests signed, initialed copies of the Forms PTO-1449 and the electronic Information Disclosure Statements for the above-captioned application.

C. The Claims Are Not Obvious Over Kokonaski et al. In View of Kachel et al. Pursuant To 35 U.S.C. § 103(a)

The Examiner has rejected claims 1160-1162 and 1289-1295 as being unpatentable over PCT Publication WO 98/28126 to Kokonaski et al. (hereinafter “Kokonaski”) in view of European Patent Application No. 318 14 to Kachel et al. (herein after “Kachel”). Applicant respectfully disagrees with these rejections.

In order to reject a claim as obvious, the Examiner has the burden of establishing a *prima facie* case of obviousness. *In re Warner et al.*, 379 F.2d 1011, 154 USPQ 173, 177-178 (C.C.P.A. 1967). To establish a *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP § 2143.03.

Amended claim 1160 includes a combination of features related to a computer-implemented method for displaying the status of an eyeglass lens forming apparatus including, but not limited to, the features of:

a first lens curing unit comprising a first activating light source, wherein the first activating light is configured to apply light toward a mold assembly during use, wherein the mold assembly is configured to hold a lens curing composition;

a second lens curing unit comprising a second activating light source and a heating system, wherein the second activating light source is configured to apply light toward the mold assembly during use, and the heating system is configured to heat the interior of the second lens curing unit during use;

wherein application of activating light and heat at least partially cures the lens forming composition to form the eyeglass lens;

the method comprising:

monitoring a parameter of at least one component of the lens forming apparatus, wherein one of the components comprises one of the lens curing units;

displaying the status of at least one of the monitored components on a display device, wherein the displayed status is based on the monitored parameter;

comparing the monitored parameter to a predetermined range for the monitored parameter for at least one monitored component; and

displaying an error message if the monitored parameter is outside of a predetermined acceptable range for the monitored parameter.

Support for the amendments and new claims 1296-1303 is found in original claim 1161, Figs. 28, 29, 44-46, and in Applicant's specification, which states in part:

As shown in Fig. 28, first curing unit 810 may include upper light source 812 and lower light source 814. Fig. 29 depicts a cut away top view of first curing unit 810. As shown in Fig. 28, light sources 812 and 814 of first curing unit 810 may include a plurality of activating light generating devices or lamps. In one embodiment, the lamps are oriented proximate each other to form a row of lights, as depicted in Fig. 29. While the lamps are depicted as substantially U-shaped, it should be understood that the lamps may be linear, circular, or any other shape that allows a uniform irradiation of a lens forming assembly placed in the first curing unit. In one embodiment, three or four lamps are positioned to provide substantially uniform radiation over the entire surface of the mold assembly to be cured. The lamps may generate activating light.
(Specification, page 109, lines 21-30).

The mold assembly holder 900 may be used in combination with a conveyor system 850 to transfer mold assemblies from the first curing unit to the second curing unit. The second curing unit is configured to apply activating light and heat to the mold assemblies after the curing is initiated by the first curing unit.
(Specification, page 114, lines 9-12).

As described above, controller computer 2002 may be configured to monitor a parameter of at least one instrument coupled to the second curing unit during curing of a lens forming composition in the second curing unit. For example, the controller computer may be configured to monitor a temperature of a second curing unit. In addition, the controller computer may be configured to alter a speed of the conveyor system in response to the monitored temperature. In this manner, the controller computer may be configured to prevent a mold assembly holder from being introduced into the second curing unit until the temperature is within an acceptable range for curing a lens forming composition disposed within the mold assembly holder. In addition, the controller computer may be configured to compare the monitored parameter to an acceptable range for the parameter and to display an error message if the monitored parameter is outside of

the acceptable range. In this manner, the controller computer may be configured to monitor a curing process in situ and to provide real-time information to a user of the lens forming apparatus.
(Specification page 141, lines 14-26).

The client computer system may be coupled directly to the receiver computer. Alternatively, the client computer system may be coupled to the receiver computer via a computer network. In this embodiment, an operator may be in a different location than the location of the receiver system. By sending control signals over the computer network, the operator may remotely control the operation of the receiver system. The receiver system may also be configured to transmit the obtained eyeglass lens information back to the client computer system via the computer network.
(Specification, page 146, lines 19-25).

GUI 2200 may also display machine status-related information on the main menu. For example, GUI 2200 may include a graphical icon or a display listing properties of a lens forming apparatus in graphic and/or alphanumeric format. A graphical icon or a display may appear or may be altered on GUI 2200 in response to a change in status of lens forming apparatus 2000. For example, as shown in Fig. 45, icon 2220 representative of a mold assembly holder, as described in above embodiments, may appear on GUI 2200 when a mold assembly holder is placed in a first curing unit or a second curing unit of lens forming apparatus 2000. A position of icon 2220 on the GUI may also indicate a unit within which the mold assembly holder is disposed and a position of the mold assembly holder within the unit. For example, a position of the mold assembly holder within the unit may be determined from a time of initial detection and a speed of the conveyor system. In this manner, the position of icon 2220 on the GUI may correspond to the determined position of the mold assembly holder within the unit.
(Specification page 154, line 26 through page 155, line 10).

Applicant submits that Kokonaski alone, or in combination with Kachel, does not appear to teach or suggest the combination of the features of the claims. Kokonaski appears to teach a lens curing apparatus that cures a resin onto a single vision lens. Kokonaski states:

A highly controlled combination of heat and ultraviolet and/or visible light is used to polymerize a liquid resin on a single focal lens placed in the curing chamber.
(Kokonaski, page 7 lines 19-20).

During operation of the curing oven 12, liquid resin and a pair of plastic, single vision lenses are placed in the molds 70.
(Kokonaski, page 9, lines 6-7).

Kachel appears to teach an automated apparatus to coat molds, fill mold forms, and then place the mold forms in an oven for thermal curing. The heating cycle of Kachel appears to be based on the resin type, rather than the eyeglass prescription. For example, Kachel states:

After all the gasket assemblies have been filled with resin, the operator places them in the oven or ovens 26 as the case may be. The ovens 26 subject the resin to a heat cycle which will cause solidification.
(Kachel, page 16, lines 52-53).

Procedure

- 1.1 Clean front molds are spin coated with the above front coating mix...
- 1.3 The coated front mold is rotated at approximately 38 RPM while exposing to ultraviolet U.V. light...
- 1.4 The back mold is coated...
- 1.5 The mold halves are assembled....
- 1.6 The mold assembly is then filled through fill ports in the gasket with the coating resin, a mixture of allyl diglycol carbonate, 3% isoperoxy percarbonate (IPP) with shrink reduction additives.
- 1.7 The filled assembly is cured in a horizontal flow forced air oven for 15 hours. Temperature starts at 105 °F and ramps to 145 °F.
- 1.9 The resultant lens are wiped clean with acetone and soft tissue, then placed back in oven for post cure
(Kachel, page 26, lines 35-54).

The lens forming composition in Applicant's claim is cured to form an eyeglass lens. Applicant submits that the resin described in Kokonaski is not cured to form an eyeglass lens, but instead used to modify an existing lens. Although Kachel and Kokonaski both describe the use of activating light, these descriptions are in the context of curing a coating or a resin that is applied to the mold members or lenses, not in the context of curing a lens forming composition.

Applicant submits that the combination of the features of the claim including, but not limited to the feature of, "application of activating light and heat at least partially cures the lens forming composition to form the eyeglass lens." As such, Applicant submits that independent claim 1160 and the claims dependent thereon (claims 1161-1162, 1289-1295, and 1296-1303) are patentable over Kokonaski in view of Kachel.

Claims 1161, 1295 and 1297 state in part, "wherein displaying the status of the monitored component comprises displaying a picture representative of the monitored component."

Applicant submits that Kokonaski alone or in combination with Kachel appear to teach or suggest the features of the claim. Kokonaski appears to teach alphanumeric symbols.

Kokonaski states:

...a back-lit liquid crystal display 26 indicates the system status, and allows the system to prompt a user for information. Other system information, such as lamp hours, cure status, and oven conditions are displayed on light emitting diodes 28 (LED's) along the front of the status indicating panel 30 of the system.
(Kokonaski, page 5, lines 7-11).

Kachel appears to teach visual indications and/or sounds, Kachel states:

Referring to Fig. 17, the description for the job order is entered into the computer...or by the operator using a keyboard 210 to enter the order...the computer 32 will reject the prescription and provide a visual indication on the monitor 34...the apparatus 10 is equipped with an alarm such as a beeper...There is also a display of this condition on the monitor 34...
(Kachel, page 12, line 47 through page 13, line 4).

Applicant submits that the features of the claims including, but not limited to, the feature of, “displaying the status of at least one of the monitored components comprises displaying a picture representative of the monitored component” are not taught or suggested by Kokonaski alone or in combination with Kachel.

Applicant submits that the division of the unit into a first and second curing unit to facilitate the application of specific cure cycles separately, monitoring and displaying the status of the components as recited in claims 1160, 1161, and 1295 and the use of a conveyor as recited in claim 1293 are not obvious matters of choice or design. Pursuant to MPEP 2144.03, Applicant respectfully requests the Examiner to provide support for his assertions of obvious matter of choice or design, either by an affidavit or by references brought to the Applicant's attention. Otherwise, Applicants request this rejection be removed. *See, e.g.*, MPEP 2143.01.

D. Additional Remarks

Based on the above, Applicant respectfully requests favorable reconsideration.

Applicant respectfully requests a three-month extension of time. If any additional extension of time is necessary, Applicant hereby requests the appropriate extension of time. A Fee Authorization is enclosed for the extension of time fee. If any fees are inadvertently omitted or if any additional fees are required, please charge those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5040-06323/EBM.

Respectfully submitted,



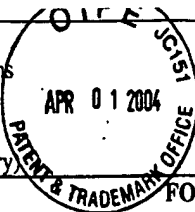
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Date: 4/27/05

Form PTO-1449 (modified)
List of Patents and Publications
For Applicant's Information
Disclosure Statement
(Use several sheets if necessary)



ATTY. DKT. NO. 5040-06323

SERIAL NO. 09/788,439

APPLICANT: Foreman et al.

GROUP: 1742

FILING DATE: February 20, 2001

FOREIGN PATENT DOCUMENTS

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES/NO
	E1	WO 96/20919	7/11/1996	WO			
	E2	WO 98/28126	7/2/1998	WO			

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.

B

Form PTO-1449 (modified) List of Patents and Publications For Applicant's Information Disclosure Statement		ATTY. DKT. NO. 5040-06323	SERIAL NO. 09/788,439
		APPLICANT: Foreman et al.	CONFIRMATION NO.: 5226
		FILING DATE: February 20, 2001	ART UNIT: 1732
OTHER ART			
EXAM. INITIALS	REF. DATE	OTHER ART (including Author, Title, Date, Pertinent Pages, etc.)	
	OA-01	U.S. Patent and Trademark Office, "Office Communication" for Application No. 09/780,215 mailed September 3, 2002 (11 pages).	
	OA-02	U.S. Patent and Trademark Office, "Office Communication" for Application No. 09/780,215 mailed March 20, 2003 (21 pages).	
	OA-03	U.S. Patent and Trademark Office, "Office Communication" for Application No. 09/780,215 mailed February 18, 2004 (15 pages).	
	OA-04	U.S. Patent and Trademark Office, "Office Communication" for Application No. 09/780,922 mailed November 15, 2002 (7 pages).	
	OA-05	U.S. Patent and Trademark Office, "Office Communication" for Application No. 09/780,922 mailed May 1, 2003 (7 pages).	
	OA-06	U.S. Patent and Trademark Office, "Office Communication" for Application No. 09/539,211 mailed November 14, 2002 (11 pages).	
	OA-07	U.S. Patent and Trademark Office, "Office Communication" for Application No. 09/539,211 mailed January 20, 2004 (9 pages).	
	OA-08	U.S. Patent and Trademark Office, "Office Communication" for Application No. 09/789,006 mailed January 14, 2004 (6 pages).	
	OA-09	PCT "Invitation to Pay Additional Fees" for International Application No. PCT/US 01/10479 mailed December 14, 2001 (6 pages).	
	OA-10	PCT "International Search Report" for International Application No. PCT/US 01/10479 mailed April 19, 2002 (11 pages).	
	OA-11	PCT "International Preliminary Examination Report" for International Application No. PCT/US 01/10479 mailed November 30, 2003 (12 pages).	
	OA-12	U.S. Patent and Trademark Office, "Office Communication" for Application No. 09/188,621, mailed February 17, 2004 (12 pages).	

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ELECTRONIC INFORMATION DISCLOSURE STATEMENT

Electronic Version v18

Stylesheet Version v18.0

Title of Invention	GRAPHICAL INTERFACE FOR MONITORING USAGE OF COMPONENTS OF A LENS FORMING APPARATUS						
<div>Application Number: 09/788439 </div> <div>Confirmation Number: 5226</div> <div>First Named Applicant: John Foreman</div> <div>Attorney Docket Number: 5040-06323</div> <div>Art Unit: 1732</div> <div>Examiner: Mathieu D. Vargot</div> <div>Search string: (5292457 or 5782460 or 3530075 or 4786444 or 5632936 or 4989316 or 5257198 or 5147902 or 6130270 or 5741830 or 5708049 or 5380387 or D467948 or D460468 or 6579478 or 6576176 or 6557734 or 6612828 or 6464484 or 6478990 or 6494702 or 6528955 or 6632535 or 6634879 or 6655946 or 6673278 or 6698708 or 6702564 or 6676398 or 6676399).pn.</div>							
US Patent Documents							
Note: Applicant is not required to submit a paper copy of cited US Patent Documents							
init	Cite.No.	Patent No.	Date	Patentee	Kind	Class	Subclass
	1	5292457	1994-03-08	Arai et al.			
	2	5782460	1998-07-21	Kretzschmar et al.			
	3	3530075	1970-09-22	Wiebe			
	4	4786444	1988-11-22	Hwang			
	5	5632936	1997-05-27	Su et al.			
	6	4989316	1991-02-05	Logan et al.			
	7	5257198	1993-10-26	van Schoyck			
	8	5147902	1992-09-15	Ichikawa et al.			
	9	6130270	2000-10-10	Ukon et al.			
	10	5741830	1998-04-21	Kamiya et al.			
	11	5708049	1998-01-13	Katagiri et al.			
	12	5380387	1995-01-10	Salamon et al.			

	13	D467948	2002-12-31	Powers et al.
	14	D460468	2002-07-16	Powers et al.
	15	6579478	2003-07-17	Lossman et al.
	16	6576176	2003-06-10	Buazza et al.
	17	6557734	2003-05-06	Buazza et al.
	18	6612828	2003-09-02	Powers et al.
	19	6464484	2002-10-15	Powers et al.
	20	6478990	2002-11-12	Powers et al.
	21	6494702	2002-12-17	Buazza et al.
	22	6528955	2003-03-04	Powers et al.
	23	6632535	2003-10-14	Buazza et al.
	24	6634879	2003-10-21	Buazza et al.
	25	6655946	2003-12-02	Foreman et al.
	26	6673278	2004-01-06	Buazza et al.
	27	6698708	2004-03-02	Powers et al.
	28	6702564	2004-03-09	Foreman et al.
	29	6676398	2004-01-13	Foreman et al.
	30	6676399	2004-01-13	Foreman et al.

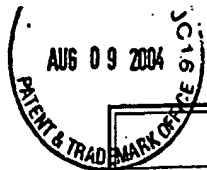
Remarks

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Foreign patents will be submitted on a Form PTO 1449.

Signature

Examiner Name	Date




D

ELECTRONIC INFORMATION DISCLOSURE STATEMENT

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Stylesheet Version v18.0

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Signature

Examiner Name	Date